

*These notes refer to the Safeguarding Vulnerable Groups Act 2006 (c.47) which received Royal Assent on 8 November 2006*

# **SAFEGUARDING VULNERABLE GROUPS ACT 2006**

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## **EXPLANATORY NOTES**

### **PROFESSIONAL BODIES AND SUPERVISORY AUTHORITIES**

#### ***Section 43: Registers: notice of barring and cessation of monitoring***

135. This section makes provision for the sharing of information by the Secretary of State and the IBB with the General Teaching Councils for England and Wales, the General Social Care Council and the Care Council for Wales. The section places a duty on the Secretary of State to inform the body if an individual that he thinks is on the body's register becomes barred. In this case, the Secretary of State must also require the IBB to provide the body with all the information on which the IBB relied in coming to its decision to bar. This will enable the body to make a decision about whether to remove an individual from its register or place conditions on the individual's registration. Similarly the Secretary of State must inform these professional or regulatory bodies if an individual that he thinks is on the register ceases to be subject to monitoring.
136. The IBB must also provide the General Teaching Councils for England and Wales, the General Social Care Council and the Care Council for Wales with relevant information that it holds about an individual who it thinks is on the body's register. This applies regardless of whether the information has led the IBB to bar the individual. For this duty to be invoked, the information must be relevant to the protection of children or vulnerable adults and to the exercise of the functions of the body concerned. The duty does not apply to:
- a. information that the IBB must not consider in making a barring decision because the police do not think that it would be in the interests of the prevention or detection of crime to disclose it to the person whom the IBB is considering barring;
  - b. information that a person has been included on a barred list or an equivalent Northern Ireland or Scottish list; the information leading to such inclusion; or information that a person has otherwise ceased to be subject to monitoring. Section 43(2) already ensures that this information is provided to the General Teaching Councils in England and Wales, the General Social Care Council and the Care Council for Wales.